



SPECIAL
COLLECTIONS

DOUGLAS
LIBRARY

QUEEN'S UNIVERSITY
AT KINGSTON



KINGSTON ONTARIO CANADA



J. Smith Sc.

THE
Rev.^d M.^r Feith. D.D.

OBSERVATIONS ON THE A C T

For Preventing
Clandestine Marriages.

By the Reverend A—— K——, A. M.

I have fought with BEASTS at EPHESUS. St. PAUL.



L O N D O N:

Printed for M. COOPER, *Pater-noster-row*;
W. REEVE, *Fleet-street*; and C. SYMPSON, at the
Bible-warehouse, Chancery-lane. MDCCCLIII.

[Price Six-pence.]

AC911.1753.K44

C. 2



OBSERVATIONS

O N A N

A C T of Parliament, &c.



THE Reader will excuse me in saying, that this Act was fashioned with a pure design of obstructing the glorious method I had taken of serving my country ; if this had not been the case, why were not * Flete-marriages (or as they are often stiled clandestine marriages) many years ago, before I came into Life, abolished. Wanted our forefathers wisdom or power ? No, they were truly sensible, that the door to propagation should always stand half-open ; yea, ready on all occasions to fly wide open, and welcome in all

* The Prison of the Flete, is so called from a little rill which encompassed it in the conqueror's time, which in old records is written Fleta ; and our leanned Antiquary Stow shews it to be erroneous to spell it thus : Fleet.

comers; they wisely foresaw, that the riches and strength of this nation; the welfare and prosperity of Britain, was, and always would be, the multitude, the stock and increase of its inhabitants; for let me tell you, that one native is far more valuable both to King and government, than ten, yea, I might say twenty, naturalized foreigners, whether they be Germans, or of that favourite race of mortals, who are of the seed of Jacob. It is true, money in the funds, places of profit, dignity and great possessions, may make the rich and wealthy man a friend to his country, according to Revolution principles, *That interest is a greater Tie than Principle*; but it is the love of his king and country that makes the poor man go forth with his life in his hand, either to fight for it or to defend it, or by venturing his life in storms and tempests with hard labour and an hungry belly, to increase its wealth, and carry on its commerce. Much is owing from the rich to the lowest class of people; it is on them their grandeur is built: no one, in the circumstances we now are, would be glad to see them, who are far the greater part of mankind, resume those natural rights, power, wealth, policy and artifice have deprived them of. On the other hand, it is certainly prudence in their governors to indulge them in such things as do tend to their quiet and happiness, to their ease, increase and welfare. Cramps and fetters should never once be framed to shackle and impede the source of our common strength and happiness, a free,
generous

generous and precipitant propagation of our species; seeing this is the best, the oldest, the most natural and the wisest law, INCREASE AND MULTIPLY, Gen. i. 28.

THUS far, by way of introduction, I will now proceed to lay before my countrymen, for whose GOOD I have suffered bonds and imprisonments for many years, my observations on the abovemention'd Act, as they arose to me on perusal.

I HAVE already hinted, that it is my opinion, for which in the following pages I hope I shall have offered satisfactory reasons, that no impediment should be laid on the lower class of people in order to hinder, retard, delay or procrastinate their marriage. Now by the Act before me it is provided, " That no Par-
 " son, vicar, minister or curate, shall be ob-
 " liged to publish the Banns of matrimony be-
 " tween any persons whatsoever, unless the
 " persons to be married shall, seven days at
 " the least before the time required for the
 " first publication of such Banns respectively,
 " deliver, or cause to be delivered, to such
 " parson, vicar, minister or curate, a notice in
 " writing of their true christian or surnames,
 " and of the house or houses of their re-
 " spective abodes within such parish, chapel-
 " ry, or extraparochial place, and of the
 " time during which they have dwelt, inha-
 " bited, or lodged in such house or houses
 " respectively.*" In the first place, let me
 congratulate

* It is great pity, the compilers did not add, that no papist, or enemy of the present government should be married, because

congratulate my honest brethren of the clergy, who have for many years been the despised of the land, on the lucrative and potential branch of this clause; for it must be observed how feelingly the proviso is worded, *No parson, vicar, minister or curate shall be obliged to publish, &c.* So that hereafter it will be in the power of every parson, &c. empowered to solemnize matrimony, either to insist on seven days notice, or not to insist thereon; whereby for favour, or some other consideration he may dispense with the seven days notice. But suppose, the parson, rector, &c. will insist on full seven days notice before he will make the first publication of Banns in his church or chapel, then here is the procrastination of seven days. The design of the legislature is certainly to give the parson sufficient time to inquire, who the parties to be married are, and whether they both live in the respective houses they have mentioned in the notice they are obliged to deliver him in writing. Suppose then, for such things may happen after the commencement of this Act, which have oftentimes happen'd before, that a citizen travelling in the country, either for pleasure, health, or for the sake of business and profit, falleth in love with a young woman, and is desirous, as has been often the case, and without whom he imagineth his future life will be unhappy, and

this would be an effectual method to put an end to popery and jacobitism in this kingdom, and be a surer and shorter way with them than Daniel de Foe's shortest way with the Dissenters, when he proposed to hang the then living ones.

therefore

therefore wanteth to marry her immediately, by this Act he must be procrastinated a month, a week's notice to the parson, (or a dole to shorten it,) and three sundays publication in the town church, after morning or evening service; now, by this act such a marriage as this will be prevented, because it is one hundred to one, whether the tradesman can stay from his shop and trade in town one fourth of the time on many considerations. This will prevent many a marriage through the delay and tedious progression of preliminaries, give our youth too long time to reflect on the sweets of a single life, and so drive the rising generation into celibacy, or which is pretty near the same, concubinage and fornication; which in its dreadful consequences curtail and shorten the number of the people, and at length introduce an absolute necessity of a general naturalization. And tho' I am growing old, I may yet live to see some thousands of the enemies our common christianity, the blasphemers of our holy religion, and the inveterate despisers of the godhead of the HOLY JESUS, naturalized, and both them and their descendants put into the sure road and ready path to supplant the natives of my beloved country, for whom I suffer, mourn and bleed.* This clause likewise makes it necessary, that the parties about to be married shall some time before or at that time

* I have been in Newgate and the Flete upwards of ten years, and my case of which I have given away upwards of sixty thousands shews the buffeting and stripes I have undergone, for the true and real service of my country.

live in one or more houses, Good God ! Did ever our forefathers judge it a necessary qualification for matrimony that either they, their sons or their daughters lived in houses, shall incapacity in this respect, hinder them of that divine privilege, which the law of nature has not denied them. The man who lives in a hut, cave, hole, or on the face of the earth, in the open field, or under a hedge, has as much a right to propagate his species as the richest householder, or greatest nobleman ; yea, more ; especially if it be considered, as things go now, that the grandee is generally by his vices debilitated for propagation before he takes on him (what he usually calls) the yoke of marriage, into which he enters to repair a rotten constitution, and a ruined estate.

OF the same tenor is the following clause, which likewise is calculated to procrastinate matrimony, viz. “ That no parson, vicar, “ minister or curate shall marry persons both “ or one of whom shall be under the age of “ twenty-one years, if the parents or guar- “ dians, or one of them, shall openly in the “ church or chapel, where the Banns shall “ be so published, declare, or cause to be “ declared their dissent.” This will prevent the marriage of thousands of his majesty’s good and liege subjects. But though I am not now so conversant with the scriptures as I once was, * yet I will now take on me to prove,

* I usually preached in the great chapel in May Fair, always once, but sometimes twice in a Sunday, and I believe there is not one

prove, that the power here given by the A&t to parents and guardians is altogether unscriptural, and I am sure, when I have made this appear, all those who believe the sacred writings, to have been wrote by divine inspiration, as I sincerely do, will allow that this part of the A&t is unreasonable. And first, I find by the example of the righteous Antediluvians, if I may credit ancient historians †, there wanted no other ceremony previous to marriage, than youth and mutual consent. The celebrated Milton || represents our first parents, Adam and Eve, on their first seeing one the other, without hesitation or ceremony, performing conjugal rites. After the flood, Abraham is said to take Sarah to wife, Gen. xi. 29. but it no where is said that his or her father or friends were consulted; much less that their consent was necessary; but we are wiser it seems than our ancestors! Indeed, in the case of Isaac there is some small difference, but then it only shews, that parents had not at that time taken on them to dictate or controul their children concerning marriage, but Rebekah having heard the proposals of Isaac, and saying she liked

one of the Rev. B——h who has a larger collection of M S. Sermons than I have now by me; but I am afraid neither theirs nor mine will ever see the light, or indeed be of any service to future generations, for our scheme of theology seems to me greatly to have varied within these few years with our manners.

† See Sir Walter Rayleigh's History of the World, Josephus; Clogher's chronology of the Hebrews; Universal history, &c.
|| Book the Fourth.

them, no one either advised or restrained her to the contrary. She immediately came from her father's home, had never before seen Isaac, nor Isaac Rebekah; but it seems, that Isaac as soon as he saw her, for he went out to meet her, brought her into her mother's tent, where she immediately became his wife; and it followed, *that he loved her*. Isaac and Rebekah performed conjugal rites as soon as they saw one the other; even that very day or hour in which they first met, Gen. xxiv. 67. It is plain, from what our Saviour says to the Jews concerning marriage, that the consent of parents and guardians is not necessary to matrimony, he tells them, that he that made the young man and the young woman made them male and female, i. e. he endowed them with such faculties, propensities and endearments as would incline them to propagate their species: "For this
 " cause, says he, shall a man leave father and
 " mother, and shall cleave unto his wife;" I think this may be justly paraphrased thus: For the sake of copulation and propagation shall the young man, without the consent of his friends, parents or guardians, leave off to maintain and support them who have given him being, and cleave to his wife, and maintain and support her and her children; and so close and sincere shall the alliance be, that they shall be as one flesh. Nay, he forbids the parents to hinder such from being together for the ends of procreation, "What there-
 " fore, says he, God hath joined together,
 " let

“ let no man put asunder,” Matth. xix. 4, 5, 6, Again our Lord, as we are informed by St. John, wrought his first miracle at a marriage solemnity in Cana of Galilee, where he was highly delighted with this innocent ceremony, and on this joyful occasion, he changed the water, when they wanted liquor, into wine, John ii. 1, &c. And our church copying the example of her great Lord and master, says, that the junction of the young man and the young woman together for the sake of procreation was instituted by God in the time of man’s innocency, and signifies the mystical and figurative union that there is between Christ and his Church. She no where in her holy office says, that the young shall not enter into this happy and blessed state without the consent of parents and guardians. The qualifications she, in her great wisdom, has thought necessary are the abilities in the persons to procreate; advising them like a tender mother to avoid adultery and fornication; and to live lovingly together for the mutual society, help and comfort of one the other, both in prosperity and adversity.

WHEN I first read this clause, I was wondering at the reason of its insertion, but coming to that which empowers upon petition to consent where obstinate guardians refuse, my surprise vanished. Which in less than half a century will produce a new office, and consequently an additional weight and expence to the subject: for which this clause

seems special well calculated. “ And where-
 “ as it may happen, that the guardian or
 “ guardians, mother or mothers, of the par-
 “ ties to be married, or one of them, so un-
 “ der age as aforesaid, may be *Non Compos*
 “ *mentis*, or may be in parts beyond the
 “ seas, or may be induced unreasonably,
 “ and by undue motives to abuse the trust
 “ reposed in him, her, or them, by refusing
 “ or withholding his, her or their consent to
 “ a proper marriage; be it therefore enacted,
 “ That in case any such guardian or guar-
 “ dians, mother or mothers, or any of them,
 “ whose consent is made necessary as afore-
 “ said, shall be *Non Compos mentis*, or in
 “ parts beyond the seas, or shall refuse or
 “ with-hold his, her or their consent to the
 “ marriage of any person, it shall and may be
 “ lawful for any person desirous of marrying
 “ in any of the before-mentioned cases, to
 “ apply by petition to the Lord Chancellor,
 “ Lord Keeper, or the Lords Commis-
 “ sioners of the great Seal of Great Britain for
 “ the time being, who is and are hereby
 “ empowered to proceed upon such petition,
 “ in a summary way; and in case the mar-
 “ riage proposed, shall upon examination ap-
 “ pear to be proper, the said Lord Chan-
 “ cellor, Lord Keeper, or Lords Commis-
 “ sioners of the Great Seal for the time being,
 “ shall judicially declare the same to be so
 “ by an order of court, and such order shall
 “ be deemed and taken to be as good and ef-
 “ fectual to all intents and purposes, as if
 “ the

“ the guardian or guardians, or mother of
 “ the person so petitioning, had consented
 “ to such marriages.” Wholefome indeed !

ANOTHER impediment or procrastination in future marriages is also provided in this act by making it necessary to be solemnized in the presence of two or more credible witnesses, besides the minister ; for the act appoints the following form for the entry of such marriage in a register to be kept purposely for that end in every church or chapel .

A. S. of the Parish of St. Cuthbert in the city of Durham, and E. D. of the Parish of St. Mary in the city of Canterbury were married in this church by Banns (or Licence) with consent of parents (or guardians) this twenty-fourth Day of April, in the Year of our Lord one thousand seven hundred and fifty-four, Jonathan Job, Rector. This marriage was solemnized between us Abraham Slocock and Elizabeth Diddit *, in the presence of Ezekiel Fidelio, and George Handover. *Note, The witnesses should have been obliged to have added the places of their abode in order to make the entry compleat.*

* The act does not provide for the incapacity of the married persons not knowing how to write, either by setting their mark, or otherwise. Q. Whether the marriage is to be null if the parties cannot write, which has been the case of many hundreds I have married, and some that hardly could speak, yet I could perceive by the smiles they bestowed on one the other, that they consented, and I imagin'd, that they had as great a right to the privilege of marriage as any one who could do both.

NEXT

NEXT follows a clause which I am afraid by some will give this act a place among our S-n-y laws, and that is, that persons convicted of making a false entry in the said register, or who shall any ways deface or alter the same, shall be deemed and adjudged to be guilty of felony, and shall suffer death as a felon, without benefit of clergy. It is I think surprising, that this should not be thought worthy of a somewhat less penalty than death; but as I heard a great reformer of the people once say, that we had not in England enough S----y laws, and that the multitude of crimes made capital since the accession of the present glorious family to the throne, will always be an honour to this nation, and would certainly shine as such in the annals of futurity, and that he hoped to see the day when every sessions would greatly encrease the number; which if he had lived till now, he would have seen his wish nearer completion; for I do not doubt, but future parliaments from the present method of extending the laws, will in a short time double the number of capital offences. And in order to that end, I shall set down here, the scheme of a certain politician, who breathed under that celebrated minister, Sir R----t W----e. You must observe, he was to the back-bone, the friend of courtiers and great men: He proposed, that whoever should say and affirm, that the king for the time being was a drunkard, an idle fellow, negligent of the good and welfare of his people, an adulterer, and
such

such like, he should on conviction suffer death; and so of any other person of the royal family, but if he should say, that he the king did not believe the doctrines of the Holy Trinity, the resurrection of the body, the ascension of Christ into heaven, and the coming of the Holy Ghost, should be hanged, drawn and quartered, and his members or parts placed over the gates of four principal cities in England, of which Oxford to be one. Of the nobility, saying, that any one of them was a sodomite, a pillager of the state, in the interest of the French king, an agent of the pretender, and one who by all means endeavoured to oppress his country by raising taxes, &c. should be transported for fourteen years, and if the offender should return within that period, death without benefit of clergy. As to the bishops he observed, that it would be sufficient to give them power to use the writ against such offenders, *De comburendo Hæretico*; especially, if he either in words or by writing, lashed or satyrized the said bishop on his or his lady's taking of Simony, his love of wealth, commendams, translations, and his thirst after power; together with his folly at seventy years of age in marrying a girl of fifteen. Again, he proposed, that the persons of the present members of parliament should be sacred, and free from ridicule; as for instance, if any one said, that the young debauchee, the fox-hunter, the sodomite, the parasite, the novice, the fribble, and the suck-thumb, mentioning his

or their name, or giving any one notice by a shrug, wink, or inuendo who such were, and that they were not proper persons to be representatives of the people, it should be transportation for seven years, and death returning in the said term. He added moreover, that all persons who did or endeavoured to defraud his majesty of his duties, taxes, or part of such, should suffer death without benefit of clergy. To this scheme I desired might be added, the cheating the clergy of their tithes, dues and rights, and robbing of graves; but he made light of this, and only remarked, that it would be very hard on the subject to suffer both here and hereafter; for, said he, I am of opinion, that as Christ is appointed judge of the quick and the dead he will doom to everlasting punishments, all those who have wronged his vice-gerents and ambassadors; undoubtedly, added he, they will be thrown into the lake of fire and brimstone, there to be tormented for endless ages. To this I replied, that if we credited the holy writings, that would be the case of all those who defrauded their governors of their tribute. No, says he, that remains a question with me, because I have heard a learned free-thinker * say, that when Constantine was about to take the church of Christ under his wing, the then clergy interpolated into the gospels and epistles † all those passages relative

* I think he mention'd Toland, but I can't be certain.

† He added, that the same free-thinker said, that any one with half an eye might see, that all the passages were interpolations,

relative thereto; for I am convinc'd, continu'd he, that it was the design of Christ and his apostles to destroy all principalities and powers, and to introduce the primitive life of living in common, and governing by seniority; so he concluded, that Christ would not take any notice in the general judgment of the affairs of princes, but in that case the judgment would only be *De Re ecclesiasticâ*.

BEFORE I proceed any farther I must make one general observation on the substance of the act. That one would judge the compilers had made it to be observed by two orders of people among us, the nobility, and the rich in stocks, trade and merchandize; and surely, for so it plainly appears, they had forgot the peasantry, or lowest class of people. Such gradual and deliberate steps taken in the espousals of the nobility, &c. may be of great use to secure estates, and make monopolies, and may also in a few years subject the inferior people to slavery, and deprive them and their families from ever soaring higher than their governors please; clip the wings of liberty, ambition, industry and ingenuity. And this in fact, by the way, is bad policy, for the shifting of wealth and possessions have been thought necessary to the good government of the commonweal, by all able politicians.

tions, especially, the story of Christ and Peter paying tribute, where he remarked, that the interpolators had placed Constantine their new God, before Jehovah their old God; Render unto Cæsar, (i. e. Constantine) the things that are Cæsar's; and unto God the things that are God's

HAPPY is the wooing, that is not long a-doing ; is an old proverb, and a very true one ; but we shall have no occasion for it after the twenty-fifth day of March next, when we are commanded to read it backwards, and from that period (fatal indeed to Old England !) we must date the declension of the numbers of the inhabitants of England ; for who among the lower class of people, after they have agreed on a marriage in secret, which often happens in three days or a week at farthest, and sometimes in a day, can be so deliberate as to give public notice of such their intended nuptials a month before : these sort of people have not so much forecast ; precipitancy, rashness and indiscretion should govern them ; for when wisdom, judgment and discretion does, the Lord have mercy upon their governors ! It is really good for the public, that Tom should court Sue in the day-time, and away to some place or other and be married before night. A footman and maid have joked themselves into a marriage very often before twelve at night, away the next morning to the Flete, and the whole wooing, wedding and bedding has been compleated in a space less than twenty-four hours. Moll has agreed with Dick to go to a fair, and spend the whole day with him, they have set out in the morning, and before eleven that night have been married, and in one another's arms before twelve, getting a soldier or seaman for the service of their king and country. Rash and inconsiderate marriages are good for the public ; for if the lower class of people were to think or
look

look before they leaped, there would not be one in twenty, nay, I might say, one in fifty who would marry; and it is therefore easy to see how greatly the nation must suffer from the commencement of this Act in its most essential riches, the multitude and stock of its inhabitants: such precaution and deliberation as the Act prescribes in great personages, where there are settlements, and which marriages are all of them Smithfield and Jockey bargains may be well enough, and will be found of great use to Westminster-Hall; but among the lower class of people they should have the privilege of marrying just when and how they please. I will now take upon me to prophesy, that from and after the twenty-fifth day of March next, 1. That the number of marriages will be far less than they are now among the lower class of people; I say, even as one is to twenty-five. 2. That great numbers of them will live in fornication and concubinage. And 3. that in less than seven years from the commencement of the Act there will be a great cry for want of hands to serve in our fleet, keep up our standing Army, carry on our merchandize, and cultivate our lands. This, says the politician, we can easily supply by an Act for a general naturalization. Thus, in time, will the present inhabitants, who have fought for their religion and purchased their liberties with the effusion of blood and treasure but lately for the best of kings *, be jostled out of their lands

C 2

and

* A prince deservedly beloved by his subjects, one who delights in the happiness of his people, whose attribute is lenity and mercy,

and possessions, as surely and effectually, tho' not in so cruel a manner, the Israelites did the inhabitants of Canaan, or the Danes and Saxons the ancient Britains. These will be the natural consequences of this law.

THE sphere I move in, intitles me by experience to say, that secret, surreptitious and precipitant marriages are of great use to the public. As I have married many thousands, and consequently have on these occasions seen the humours of the lower class of people, I have often asked the married pair how long they had been acquainted; they would reply, some more, some less, but the generality did not exceed the acquaintance of a week, some only of a day, half a day, &c. Now these people, if they had had the perplexity and procrastination appointed by the Act, would never have been married. The whore is not so generally by choice but necessity; if she lights of a green horn, as it is termed, she always proposes a marriage, and this I have the pleasure and satisfaction to say, has been the case of some thousands whom I have married; all which sort of

mercy, how irksome to him does he consent to the death of any one of his subjects, save that person who is guilty of murder. I reckon it as one of the greatest blessings of my life, that I live under and serve so good, so wise, and so just a potentate; and I have the vanity to think, that he has not a subject in his realm that has done him and his country more real service than I have done; the statesman in the senate, the counsellor at the board, the general at the head of his army, and the admiral commanding his fleets, have served him with the loss of many of his subjects, but I have served in bonds, in a way that has pleased all parties, and which has daily and hourly added to the number of his loyal subjects.

breeders will by this Act be lost to the public. Many have turned out sober people, and in the case of procreation (the main thing to be regarded by the state) have produced numerous families. I speak I say from experience ; a young man, a mariner comes on shore, receives his wages, is recommended by his friends or acquaintance, to Mary the daughter of a neighbour ; comes acquainted with her one day, is married the next, gets his wife with child, and is again a shipboard in the merchants or his country's service before the week is out, returns by the time his wife is brought to-bed, gets her with child, and then sets sail. Now, as the ceremonials of marriage must hereafter be the consideration of a month, the mariner can no way stay that time, he will be necessitated to content himself with whoredom, and by this means an infinite number will be lost to the rising generation ; for the marriages of our seamen, soldiers, &c. are of great use to the keeping up the stock of the nation ; for suppose, the mariner stays away two or three years most of the good women are so generous to the nation, as not to lose their teaming time. The chief things the legislature are to prevent is celibacy * and whoredom, for neither of these do increase or keep up the stock of the people ; but married parties however vicious before, do the best of their endeavours to encrease and multiply.

* Remember O ye lawgivers, the wisdom of our Reformers in suppressing the monasteries and nunneries, in order to increase the stock of people.

FROM this law methinks I foresee shortly the absolute necessity there will be of making another before the expiration of seven years, to oblige people at a proper and discreet age to marry under severe penalties, but I beg it may center *de capite*, it being now almost fashionable to make every thing death without benefit of clergy. Thus one law produces another, and that two or three more, and they a thousand, till at length we shall have more laws than minutes (did I say, than moments or seconds) in a year. Hasty and precipitant marriages, without the consent of parents, has its great use in the state; for whoever is acquainted with the dispositions of the lower class of people must know, that they take a secret pleasure in hasty proceedings, they have not minds formed for consideration and forecast; if they do not a thing off-hand, and presently, they do it not all.---What the number of hasty or joyous marriages (by the enemies of propagation stiled clandestine) have been *communibus annis*, I will not take on me to say exactly, tho' some have computed them at twenty-thousand for the whole kingdom; and I have heard say, this is a very moderate computation; and as the practice of clandestine, which I call joyous and hasty marriages have ever been allowed, especially since the Reformation; without stretching the point, the great increase of the natives, of commerce, taxes, duties, courtiers, excisemen, customhouse-officers, land-waiters, rulers *, &c. since that happy period,

* Since the reformation the number of justices of the peace are increased at least as sixty to one.

may rationally be placed to this account ; wherefore it has been and is now the strength of the nation, and the vitals of our army and navy.

ANOTHER inconveniency which will arise from this Act will be, that the expences of being married will be so great, that few of the lower class of people can afford ; for I have often heard a Flete-parson say, that many have come to be married when they have had but half-a-crown in their pockets, and six-pence to buy a pot of beer, and for which they have pawned some of their cloaths. This circumstance in the new law will curtail the number of marriages greatly. Marriage in the method prescribed by the Act, will come to six or eight times the sum. I wish the law had found them the money to be married with, or had appointed, the clergy of every parish to administer matrimony gratis, as he does now the holy elements *. Hence it will come to pass, that men and women will fly marriage, and so the very end for which they were born will be lost to the nation. It is necessary that people should be imposed on by one another ; truth will always have but few votaries, but error and deceit its thousands. That men and women should continually cheat and cozen one the other into marriages is much better for the state, than a few made by reason, deliberation, and the weight of money ; it is far better for a

* Before the Reformation the clergy married the people without fee or reward ; marriage was then counted as one of the sacraments of our most holy religion.

nation that there should be forty clandestine marriages in a day, than one or two deliberate ones. The benefit is great, and is certainly felt in the consumption, as every thing pays a duty to the crown. I remember once on a time, I was at a public-house in Radcliff, which then was full of sailors and their girls, there there was fiddling, piping, jigging and eating; at length, one of the tars starts up, and says, D——n ye Jack, I will be married just now; I will have my partner; and B——d we will get a boy who shall kill the French King. The joke took, and in less than two hours ten couple set out for the Flete. I staid their return. They returned in coaches; five women in each coach; the tars some running before, others riding on the coach-box, and others behind. The cavalcade being over, the couples went up into an upper room, where they concluded the evening with great jollity. The next time I went that way, I called on my landlord, and asked him concerning this marriage-adventure; he at first stared at me, but recollecting he said, those things were so frequent, that he hardly took any notice of them; for added he, it is a common thing, when a fleet comes in, to have two or three hundred marriages in a week's time, among the sailors. Now, as this is the very case, what will, after the twenty-fifth day of March next, become of this set of people; it is plain, from the tenor of the Act, they cannot be married in a frisky mode, will not it follow, that in a few years we shall want hands to till the ground,

man

man our fleets and armies, and carry on our commerce. From the bad consequences of this, *Good Lord deliver us!*

IT is therefore hard, the lower class who have not the money, nor prudence to procrastinate as the Act directs, to be deprived of a privilege God and nature has given them. I am sure the rich man ought to pray ardently to the Almighty to keep up and sustain the race of the lower class, for this is most certain, when they fail, his grandeur, luxury, pride, dominion, arrogance and avarice must. For it must be allowed by all, that from this source arise all the domestics; the husbandman, and artificer; the mariner and foldier: and in the circumstances we are now, and in which we must continue till the millennium or general conflagration; let me say, it is far easier for us to do without the rich man than the poor one, without the sycophant or courtier than the plowman and sailor. It therefore follows, that hasty and precipitant marriages (falsely and artfully called clandestine) is the very foundation of our present happiness and prosperity, and time, and a very short time will shew us, that wise and prudent and considerate marriages (there will be so few) among the lower class of people will be the destruction both of our CHURCH and KING; by giving the enemies of Britain an opportunity when they perceive our weakness in numbers of introducing a Popish pretender. Which heaven avert!

SEATED in my elbow-chair these considerations made so deep an impression on my mind, that I had scarce finish'd the above before a deep sleep seized me, and behold, I dreamt that I was dead, and convey'd into the other world, and wafted by Charon over the Styx, where landing on the other side, I was immediately convened before the Censorium*; the judge having viewed me, shook his head, and said: Ay, friend, thou didst suffer cruel imprisonment in the other world;---there is not upon earth, such a place as you come from, where there are more laws, counsellors, attornies, bailiffs, jails, jailors, turnkies, and men in prison;---they delight in punishing and tormenting one the other, and it is with this their rulers divert them, in order to keep them from rebellion. My sentence was pronounced thus: *Walk thou on the bank of the Styx.* I left the court, and was conducted to my place; it was a pleasant green, adorned with willows, and it was my business, as well as that of many others, to keep up the banks wafted and decayed by the flux and reflux of the water. Here I used to walk, smoke my pipe, drink of and bathe in its streams; for here we live by drinking only, the region being exceeding hot, and nearer the sun than the earth by many degrees, this is our chief solace; if we had not the *Bibesa* our philoso-

* A Judiciary appointed by the emperor, to examine all persons coming from the other world, and whose particular office it is, to assign to every one his proper place and business.

phers, (who think themselves much wiser than Sir Isaac Newton, or even Dr. H----l) are of opinion, our punishments would soon end through An-ni-hi-la-ti-on. As my ca-fula or hut was within view of the ferry, I had the pleasure of seeing the number of people continually imported by Charon. About six years after I had been there, one morning early I espied a boat full of my own countrymen, the company consisted of one jailor, attended with under jailors, turnkies, chamberlains, jigers, whippers-in, tipstaves, bailiffs, &c. they all went hastily into the Censorium where they staid not long before they were destined to work at water-engines so artfully contrived in this country for watering of the roads by subterraneous pipers as far surpasses any thing I ever saw. As the jailor was my acquaintance, he took the first opportunity of visiting me, and our meeting was friendly; for here all animosities cease, and the reason is, because we have not the power as on earth of revenging injuries. I welcomed my *Custoe* (for so I called him) into our gloomy region; he took me by the hand, and said, thou lookest well Don *Carcero*. We soon fell into discourse.

Carcero. Pray how does all our friends in *castello Fletano*?

Custoe. All well: but about three years ago a little poet sent thither served me an ugly trick. You must know, the scheme of politics has received an alteration since the administration of Sir R---t W---e, he laid out

a large sum in bribery and corruption, which was then called secret-service money; the politicians who succeeded him, found out this method to save that money, viz. To quarter upon placemen. This fellow, (I wish I had known it then) insinuated to a certain great man, that my place was so lucrative, that it might very well procure two or three friends to the g---n---t; the poet got released; and I was persuaded to accept of a co-adjutor, having also the promise to be made a governor of a province in a very short time. But before this came to pass, I died. In my last moments I thought of you; but I little thought of finding you here, because I know you did a great deal of good when in jail, &c.

Car. 'Tis true, I did not think to come here; but it is a far better country than I expected; I am very glad I have not the trouble of eating, cloathing, &c. as in the other world.

Cust. I have been here scarce six months, but I am so taken with its manner of life, its freedom from that tyranny on earth, which one man exercises over the other, that I think it H---ll that I came from.

Car. Give me leave;---How is it with my old friend Don *Cancellario*?

Cust. I saw him about nine months since.

Car. Are the tedious and expensive proceedings *in curiis superioribus* remedied?

Cust. We have expected to see the plan for above three years past; (for he is retired from business so long) it will regulate the whole course

course of justice, in a method so easy, the most intricate cause will be compleated in six or nine months after commencement, and with so little expence to the subject, that I think England must from that time be a land of happiness and liberty indeed.

Car. Pray, my friend, give me some items of it.

Cust. I have heard, that the number of counsellors will be limited, and the number of attornies, the stamp-duty taken off, and their fees ascertained. Farther I cannot say; but that every act made to enforce the new plan of the law, will be *de capite*, without benefit of clergy.

Car. As I left my native country before the commencement of the marriage-bill, let me know how that went on?

Cust. The next sessions after its commencement it received some alterations, and so it remains.

Car. Pray, what were those alterations?

Cust. I think the Act appoints certain clergymen, in several parts of England, to marry the hasty and precipitant.

WITH this I seemed to jump for joy, and I leaped out of my chair, but was in so great a sweat, and so faint that I was obliged to go up into the coffee-room, smoke my pipe, and drink my *quantum sufficit* before I could proceed. This done I returned to my pen and ink, for tho' I am in prison, I thank God I am not yet forbid the use of it.

I SHALL conclude, with proposing some amendments in the present Act, which if the parliament should meet next November, may be made before its commencement. As,

THAT the Act shall be binding on all persons of degree, wealth, fashion, place, power and dignity.

THAT this Act shall not extend to the marriages of such persons who have no estates in lands, houses, or monies in the funds.

THAT the said marriages shall be performed by one in Holy Orders, who shall have been licenced by some Protestant bishop of the Church of England.

PROVIDED also, that from henceforth every such clergyman so licenced and appointed, shall grant a written certificate of such marriage, and for which certificate he shall take no more than Six-Pence.

THAT the said certificate shall be written on a piece of paper having thereon a three-penny stamp.

THAT the said clergyman so officiating for the solemnization of marriages, shall take or exact for the same no more than Two-Shillings and Six-pence.

AND that he be hereby commanded and obliged to keep a fair register of all such persons so married by him, with the day of the month, and the date of the year under the penalty of being removed from his office.

And be it provided, that all such persons, who shall have a right to keep Sacellums for the quick, speedy and precipitant marriages

riages of our loving subjects, shall yearly, when they deliver up the register of all such persons as they have married, into our Exchequer-Office, shall receive each the sum of Ten-Pounds.

WITH these amendments, and such others as the wisdom of parliament shall suggest, this Act may be made a benefit to the nation; and I hope these things will be taken into consideration, before it is too late.

IN the regulation I have proposed, I can have no interest, because it says that persons allowed to marry by this Act shall be licenced thereto, by the bishop of the diocese; of which I shall never be one.

HOWEVER, I would advise, that one of the Sacellums to be appointed by this Act may be in *May-Fair*, another near the *Flete*, a third in *St. Catharine's*, and as many more in the diocese of *London*, as the ordinary shall think needful.

As to the rest of the kingdom every seaport, town of great trade, and every county to have one, who shall each receive of the government ten pounds a-year, for keeping an exact register. This will create so many place-men, and be it provided, that no clergyman shall hold it in commendam, by deputy, or sine-cure; and also, that when he accepts of a curacy, vicarage, lectureship, parsonage, &c. his place shall be void, and the bishop of the diocese wherein his station was, shall fill the same with a clergyman qualified as recited, having a licence; and that

that if any person, man, woman or child, not in holy orders shall presume to marry as heretofore, the person so officiating, shall be transported for fourteen years.

To conclude, how these things may turn out, I cannot say, but I hope for the best, I have only this to remark, that what I have offered is for the good of my country, and here I must deliver it as my opinion, and which I have learnt from experience, that in a state, the youth cannot be too much encouraged to marry, nor opportunity and means leading thereto too frequent, nor too often set before them, when they have once agreed no law should procrastinate them, for the stock of people are the riches and strength of the nation.

Now, if the present Act, in the form it now stands, should, which I am sure is impossible, be of service to my country, I shall then have the satisfaction of having been the occasion of it, because the compilers thereof have done it with a pure design of suppressing my CHAPEL, which makes me the most celebrated man in this kingdom, tho' not the greatest.

F I N I S

